

# Senate File 227 - Introduced

SENATE FILE \_\_\_\_\_  
BY HOGG

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to agreements to pay compensation to recover or  
2 assist in the recovery of certain unclaimed property.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2557XS 82  
5 av/je/5

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1 1 Section 1. Section 556.2C, subsection 2, Code 2007, is  
1 2 amended to read as follows:  
1 3 2. An agreement to pay compensation to recover or assist  
1 4 in the recovery of an outstanding warrant made within  
1 5 twenty-four months after the date the warrant is canceled is  
1 6 unenforceable. However, an agreement made after twenty-four  
1 7 months from the date the warrant is canceled is valid if the  
1 8 fee or compensation agreed upon is not more than ~~fifteen~~  
1 9 twenty percent of the recoverable property, the agreement is  
1 10 in writing and signed by the payee, and the writing discloses  
1 11 the nature and value of the property and the name and address  
1 12 of the person in possession. This subsection does not apply  
1 13 to a payee who has a bona fide fee contract with a practicing  
1 14 attorney regulated under chapter 602, article 10.  
1 15 Sec. 2. Section 556.11, subsection 10, Code 2007, is  
1 16 amended to read as follows:  
1 17 10. All agreements to pay compensation to recover or  
1 18 assist in the recovery of property reported under this  
1 19 section, made within twenty-four months after the date payment  
1 20 or delivery is made under section 556.13, are unenforceable.  
1 21 However, such agreements made after twenty-four months from  
1 22 the date of payment or delivery are valid if the fee or  
1 23 compensation agreed upon is not more than ~~fifteen~~ twenty  
1 24 percent of the recoverable property, the agreement is in  
1 25 writing and signed by the owner, and the writing discloses the  
1 26 nature and value of the property and the name and address of  
1 27 the person in possession. A person shall not attempt to  
1 28 collect or collect a fee or compensation for discovering  
1 29 property presumed abandoned under this chapter unless the  
1 30 person is licensed as a private investigation business  
1 31 pursuant to chapter 80A. This section does not prevent an  
1 32 owner from asserting, at any time, that an agreement to locate  
1 33 property is based upon excessive or unjust consideration.  
1 34 This section does not apply to an owner who has a bona fide  
1 35 fee contract with a practicing attorney and counselor as  
2 1 described in chapter 602, article 10.

### EXPLANATION

2 2  
2 3 This bill relates to agreements to pay compensation to  
2 4 recover or assist in the recovery of certain property that has  
2 5 been reported as unclaimed or abandoned.  
2 6 Code section 556.2C is amended to increase the amount of  
2 7 the fee or compensation that can be agreed upon in such an  
2 8 agreement from 15 percent to 20 percent of the recoverable  
2 9 amount of certain unpaid, outdated state warrants.  
2 10 Code section 556.11 is amended to increase the amount of  
2 11 the fee or compensation that can be agreed upon in such an  
2 12 agreement from 15 percent to 20 percent of the recoverable  
2 13 amount of certain funds or property, tangible or intangible,  
2 14 that have been reported abandoned.  
2 15 LSB 2557XS 82  
2 16 av:rj/je/5